

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Texas



ORR AUTO, INC.
D/B/A ORR VOLKSWAGEN OF TEXARKANA

Plaintiff(s)

v.

AUTOPLEX EXTENDED SERVICES, LLC
D/B/A MOTOR VEHICLE SERVICES

Defendant(s)

Civil Action No. 5:24-CV-29

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

AUTOPLEX EXTENDED SERVICES, LLC
REGISTERD AGENT: KEITH HORNEKER
2275 1st CAPITOL DRIVE
ST. CHARLES, MO 63301

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

CORY J. FLOYD
P.O. BOX 5452
TEXARKANA, TX 75505

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 4/8/2024

CLERK OF COURT

David A. O'Toole

Signature of Clerk or Deputy Clerk

EXHIBIT 1

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Civil Action No. 5:24-CV-29

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Keith Horneker, who is
designated by law to accept service of process on behalf of *(name of organization)* Autoplex Extended
Services, LLC on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 5/28/24

Melissa Johnston

Server's signature

Melissa Johnston, Paralegal

Printed name and title

3211 McKnight Crossing, Texarkana, TX 75503

Server's address

Additional information regarding attempted service, etc:

I served the summons on April 9, 2024 by using a private process server who left copies of the business office of Autoplex Extended Services, LLC.

I served the summons again on May 1, 2024 by certified mail to the Texas Secretary of State.